

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

GRACE TEMISAN EKPERIGIN,)	
)	
Plaintiff,)	Case No. 3:24-cv-00232
)	
v.)	JUDGE WAVERLY CRENSHAW
)	
VANDERBILT UNIVERSITY,)	
NEIL E. JAMERSON, and)	
JOHN & JANE DOE,)	
)	
Defendants.)	

**MOTION TO SEAL RESPONSE TO MOTION FOR
TEMPORARY RESTRAINING ORDER AND ACCOMPANYING EXHIBITS**

Pursuant to Local Rule 7.02 and 26.03, Defendants The Vanderbilt University (“Vanderbilt”) and Neil E. Jamerson respectfully move this Court for an order: (1) sealing Defendants’ Response to Plaintiff’s Motion for Temporary Restraining Order, to be filed today, March 4, 2024, and accompanying exhibits, and (2) permitting Defendants to file redacted versions of those documents on the public case docket.

In support of their motion, Defendants state as follows:

1. In his Complaint, Plaintiff Grace Temisan Ekperigin¹ asserts that Defendants “seek to expel and remove [him] from campus, due to [his] mental health disability, without due process of law.” (Doc. No. 1, Compl., p. 4.) In his Motion for Temporary Restraining Order, Plaintiff states that he “suffer[s] from mental health challenges” and has “been diagnosed with schizoaffective disorder.” (Doc. No. 3, p. 2.) By way of his Complaint and Motion for TRO, Plaintiff challenges the Vanderbilt Welfare Panel’s conclusion that he should take a medical leave of absence and seek residential treatment.

¹ Defendants refer to Plaintiff with “he/his” pronouns because that is how Plaintiff identified to Vanderbilt.

2. Responding to Plaintiff's Motion for Temporary Restraining Order requires Defendants to provide information regarding Plaintiff's extensive mental health challenges. To protect this personal and confidential information, Defendants request that the Court place under seal Defendants' Response to Plaintiff's Motion for Temporary Restraining Order and accompanying exhibits.

3. In federal court, documents may be filed under seal where the Court determines that the party seeking to seal has demonstrated compelling reasons to seal the documents and that the sealing is narrowly tailored to those reasons. *See* Local Rule 5.03; *Shane Grp., Inc. v. Blue Cross Blue Shield of Mich.*, 825 F.3d 299, 305–06 (6th Cir. 2016). To do so, a party must “specifically analyz[e] in detail, document by document, the propriety of secrecy, providing factual support and legal citations.” *Id.* The greater the public interest in the litigation's subject matter, the greater the showing necessary to overcome the presumption of access. *See Brown & Williamson Tobacco Corp. v. F.T.C.*, 710 F.2d 1165, 1179 (6th Cir. 1983).

4. Compelling reasons exist for filing a party's mental health records and information under seal. *R.C. v. Choice Hotels Int'l, Inc.*, No. 5:23-CV-00872, 2024 WL 713036, at *1 (N.D. Ohio Feb. 21, 2024) (“Defendant Choice must file R.C.'s medical and mental health records under seal in their entirety”). Thus, it would be appropriate to seal Defendants' Response to Plaintiff's Motion for Temporary Restraining Order, and accompanying exhibits, which, with the exception of Vanderbilt's Student Handbook, focus heavily on Plaintiff's mental health.

5. This Motion seeks only the relief explicitly stated herein and is filed for good cause and for the sole purpose of obtaining an Order that Defendants' Response to Plaintiff's Motion for Temporary Restraining Order and exhibits be sealed, and that Defendants be permitted to file redacted versions of the Response and accompanying exhibits.

For these reasons, Defendants respectfully request that the Court enter an Order: (1) sealing Defendants' Response to Plaintiff's Motion for Temporary Restraining Order and accompanying exhibits, with the exception of Vanderbilt's Student Handbook, and (2) permitting Vanderbilt to file a redacted version of the Response and exhibits on the public case docket.

Dated this 4th day of March, 2024.

Respectfully submitted,



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Counsel for Defendants

CERTIFICATE OF SERVICE

I certify that the foregoing MOTION TO SEAL was emailed and mailed on this 4th day of March 2024, to:

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Kevin C. Klein